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16 *Attorneys for Plaintiffs and*
 17 *the [Proposed] Plaintiff Class*

18 **UNITED STATES DISTRICT COURT**
 19 **CENTRAL DISTRICT OF CALIFORNIA**

20	PETER P., et. al,	)	Case No. LA CV-15-3726 MWF
21		)	(PLAx)
22	Plaintiffs,)	
23		)	CLASS ACTION
24	v.)	
25	COMPTON UNIFIED SCHOOL	)	NOTICE OF MOTION AND
26	DISTRICT; et. al,	)	MOTION FOR CLASS
27		)	CERTIFICATION
28	Defendants.	)	Date: August 17, 2015
		)	Time: 10:00 A.M.
		)	Ctrm: 1600
		)	Judge: Hon. Michael W. Fitzgerald

1 **NOTICE IS HEREBY GIVEN** that on August 17, 2015 at 10:00 A.M., in
 2 Courtroom 1600, or as soon thereafter as counsel may be heard by the above-
 3 entitled Court, located at 312 North Spring Street, Los Angeles, California 90012,
 4 Plaintiffs Peter P., Phillip W., Virgil W., and Donte J., by their guardians ad litem,
 5 and Kimberly Cervantes (collectively, “Student Plaintiffs”), on behalf of themselves
 6 and others similarly situated, will and hereby do move the above-entitled Court for
 7 an order certifying the above-entitled action as a class action pursuant to Federal
 8 Rules of Civil Procedure 23(a) and 23(b)(2).

9 This motion is based on this Notice of Motion, the accompanying
 10 Memorandum of Points and Authorities, the referenced declarations and exhibits,
 11 the records and proceedings in this case, and such other evidence and argument as
 12 may be submitted at or before the hearing.

13 This motion is made following the conference of counsel pursuant to L.R. 7-3
 14 which took place on June 30, 2015.

15 16 **RELIEF SOUGHT**

17 Pursuant to Federal Rules of Civil Procedure 23(a) and 23(b)(2), Plaintiffs
 18 request that the Court:

19 1. Determine that a class action is proper as to Plaintiffs’ causes of action
 20 under (1) Section 504 of the Rehabilitation Act, and (2) Title II of the
 21 Americans with Disabilities Act (“ADA”), as well as Plaintiffs’ claim
 22 for declaratory and injunctive relief, in this action;

23 2. Certify a class defined as:

24 All present and future students in Compton Unified
 25 School District with trauma-induced disabilities, as
 26 defined under Section 504 of the Rehabilitation Act and
 27 Americans with Disabilities Act, who are, will be, or
 28 have been denied meaningful access to education (the
 “Plaintiff Class”);


1 3. Appoint Student Plaintiffs as class representatives, and

2 4. Appoint Public Counsel and Irell & Manella LLP as class counsel.

3 In the alternative, Plaintiffs request that the Court reserve its ruling on the
4 instant motion and allow for and schedule discovery to take place on class-wide
5 issues, at the conclusion of which Plaintiffs will file a supplemental memorandum in
6 support of the instant motion further detailing the appropriateness of class
7 certification and ask the Court to rule at that time.

8
9 DATED: July 17, 2015

Respectfully submitted,

10 

11 Mark D. Rosenbaum

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21 *[Proposed] Plaintiff Class*
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